

Appl. No. : 10/623,875  
Filed : July 21, 2003

### REMARKS

The present amendment is in response to the Office Action mailed July 6, 2006.

In the Office Action, Claims 14 through 18 and 20 stand rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 5,407,430 to Peters.

In order to properly support a rejection under 35 U.S.C. § 102(b), the '430 patent to Peters must disclose each element of Applicant's presently amended independent Claim 14, arranged as recited in Claim 14. This Peters fails to do.

In particular, Peters fails to disclose, among other things, the following:

a proximal section on the body, having a fixed diameter

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wherein the distal section is advanced from the first diameter to the second diameter in response to distal movement of the support.

As presently claimed, Applicant's invention is directed to an intracranial aspiration catheter, in which a distal section may be translumenally navigated through remote tortuous vasculature while in a low crossing profile. After the catheter has been positioned at the desired site, the inside lumen of the distal section may be enlarged, to facilitate aspiration or the advance of tools therethrough.

As presently claimed, the distal section is enlarged by distally advancing an internal support. One implementation of this can be seen, for example, in the sequence shown in Figures 5 and 6.

Peters is directed to the completely unrelated field of intravenous catheters, for the purpose of enabling infusion of large volumes of fluid. Radial expansion occurs along the entire functional length of the Peters' catheter, and is accomplished by mechanically shortening the helical reinforcement braid. Peters fails to disclose a separate proximal and distal section on the catheter, in which the distal section is enlargeable by axially distally advancing a support.

In view of the foregoing, Applicant respectfully submits that the §102(b) rejection over Peters is improper and should be withdrawn.

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Claims 15 through 20 each depend directly or indirectly from Claim 14, and are believed to be patentable for the reasons discussed above.

New Claims 37 through 43 have been added. These new claims are believed to be patentable for at least the reason that they depend, directly or indirectly from Claim 14. In addition, these claims recite features that are unique to devices adapted to accomplish remote intravasculture procedures. Written description support for the dimensions recited in Claims 37 through 42 may be found in paragraph 54 of Applicant's publication, U.S. Patent Publication No. 2004/0019322 A1. Support for the control wire of Claim 43 may be found, for example, in paragraph 50.

In view of the foregoing, Applicant respectfully submits that all pending claims of the present application are in condition for allowance, and such action is earnestly solicited. If, however, any questions remain, the Examiner is cordially invited to contact the undersigned so that any such matter may be promptly resolved.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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